

ECF CASE Document #

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

MERCK EPROVA AG and MERCK KGaA,

08 CV 00035 (RMB)

Plaintiffs,

RULE 7.1 STATEMENT

-against-

PROTHERA, INC.,

Defendant.

-----X

Pursuant to Federal Rule of Civil Procedure 7.1 and to enable the District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for defendants, ProThera, Inc., a private non-governmental party, certifies that the following are corporate parents, affiliates and/or subsidiaries of said party, which are publicly held:

NONE

Dated: New York, New York
March 3, 2008

S/James N. Blair
James N. Blair (JB 6745)
Snow Becker Krauss
605 Third Avenue 25th Floor
New York, NY 10158
Tel: 212-455-0326

Joshua King
Graybeal Jackson Haley LLP
155 – 108th Avenue NE, Suite 350
Bellevue, WA 98004-5973
Tel: 425-455-5575
Fax: 425-455-1046

Co-counsel for Defendant, ProThera, Inc.